

REMARKS

Applicant requests the correspondence address in the application be changed to:

Ingrid McTaggart  
1816 S.E. 54th Avenue  
Portland, Oregon 97215-3334  
Telephone: (503) 230-7934  
Facsimile: (503) 230-7935

Please direct all future correspondence to the new address listed directly above.

This Response is being filed within three months of the Office Action outstanding, dated September 28, 2004. No new claims have been added. Accordingly, no fee is required.

In the Office Action dated September 28, 2004, the Examiner rejected independent claim 18 under 35 U.S.C. 102(b) as allegedly being anticipated by Tolegian. Applicant respectfully disagrees.

Tolegian discloses "side bars 16 of the frame 17" that define the vertical supports of the artist's easel. (FIG. 2 and column 2, line 10). "The side bars 16 are connected rigidly by transverse bars 24, 25, 26 and 27." (FIG. 2 and column 2, lines 15-16). A "panel P is firmly held between two bars 29 and 30" (column 2, line 38). Lower bar 30 is

movably supported on transverse bar 25 in three different embodiments: by a "vertical screw 44 ... driven by a reduction motor 46 (FIG. 4 and column 3, lines 13-18); by "a belt drive 47 ... provided from the motor 46a" (FIG. 5 and column 3, lines 19-21); and, by "a screw 48 ... driven by worm gearing 50 and a reversible reduction motor 51" (FIG. 6 and column 3, lines 22-24). In each of these three embodiments the movement structure of Tolegian is positioned on transverse, horizontal bar 25 and outside of side bars 16. Tolegian does not teach or suggest any movement structure or translation means that is positioned within an interior of side bars 16.

In contrast, Applicant's independent claim 18 recites:

"vertical support means for supporting a horizontal support means, said vertical support means including an interior;

vertical translation means for vertically translating a horizontal support means on said vertical support means, said vertical translation means positioned within said interior." (emphasis added).

As stated in Applicant's specification, "due to the interior positioning of the pulley systems within vertical beams 12 and 14 ... easel 10 has a depth 98 that is approximately the depth of vertical beams 12 and 14, the depth of work piece 80, and is generally much less than the overall depth of prior art easels. Easel 10, therefore,

may be used directly against a wall in a small studio or back-to-back with a second easel in a crowded classroom." (Applicant's specification, page 5, lines 8-18) (emphasis added).

Tolegian does not teach or suggest vertical translation means positioned within an "interior" of vertical support means, as recited in Applicant's independent claim 18, and Applicant respectfully requests the Examiner to withdraw the rejection of claim 18 under 35 U.S.C. 102(b) and to allow the claim.

In the Office Action dated September 28, 2004, the Examiner rejected independent claims 12 and 18, and corresponding dependent claims 13 and 19, under 35 U.S.C. 102(b) as allegedly being anticipated by Rohlfing.

Applicant respectfully disagrees. Applicant will address each of claims 12 and 18 in turn.

Rohlfing discloses a movement structure including a motor 60 supported on a channel 57. (FIG. 2 and page 2, lines 49-54). Channel 57 is connected to one end of a cable 89 that runs over a sheave 90 on vertical guide members 41, wherein the second end of the cable is connected to a counterweight 92. (FIG. 2, and page 2, lines 22-23 and 105-111). As shown in FIG. 2, counterweight 92 and cable 89 of Rohlfing both extend outwardly from

vertical guide members 41 and are not positioned completely within an interior of vertical guide members 41. Moreover, neither motor 60 nor channel 57 are positioned even partly within an interior of vertical guide members 41 of Rohlfing. (FIG. 2 and page 2, lines 49-54).

In contrast, Applicant's independent claim 12 recites:

"a vertical support member including an interior;  
a pulley system positioned completely within  
said interior, said pulley system adapted for  
moving a horizontal support member on said  
vertical support member" (emphasis added).

As stated in Applicant's specification, "due to the interior positioning of the pulley systems within vertical beams 12 and 14 ... easel 10 has a depth 98 that is approximately the depth of vertical beams 12 and 14, the depth of work piece 80, and is generally much less than the overall depth of prior art easels. Easel 10, therefore, may be used directly against a wall in a small studio or back-to-back with a second easel in a crowded classroom." (Applicant's specification, page 5, lines 8-18) (emphasis added).

Rohlfing does not teach or suggest "a pulley system positioned completely within said interior" of a vertical support member, as recited in Applicant's independent claim 12, and Applicant respectfully requests the Examiner to

withdraw the rejection of claim 12, and corresponding dependent claim 13, under 35 U.S.C. 102(b) and to allow the claims.

As discussed above, Applicant's claim 18 recites "said vertical translation means positioned within said interior" of said vertical support means. Rohlfing discloses a translation system including a motor 60 and a channel 57 that are positioned outside of vertical guide members 41. Furthermore, counterweight 92 and cable 89 of Rohlfing are also positioned outside of vertical guide members 41. Rohlfing does not teach or suggest a movement structure or translation means that is positioned within an interior of vertical guide members 41. Accordingly, Applicant requests the Examiner to withdraw the rejection of claim 18, and corresponding dependent claim 19, under 35 U.S.C. 102(b) and to allow the claims.

In the Office Action dated September 28, 2004, the Examiner rejected independent claims 1 and 18, and corresponding dependent claims 2-3, 5 and 11, under 35 U.S.C. 103(a) as allegedly being unpatentable under Tolegian in view of Rohlfing. Applicant respectfully disagrees. Applicant will address each of claims 1 and 18 in turn.

Tolegian discloses an artist's easel wherein a lower bar 30, for supporting a panel P, is moved by one of three embodiments: by a "vertical screw 44 ... driven by a reduction motor 46 (FIG. 4 and column 3, lines 13-18); by "a belt drive 47 ... provided from the motor 46a" (FIG. 5 and column 3, lines 19-21); and, by "a screw 48 ... driven by worm gearing 50 and a reversible reduction motor 51" (FIG. 6 and column 3, lines 22-24). The three embodiments of movement structure disclosed by Tolegian are positioned outside of vertical guide members 41. Furthermore, Tolegian does not teach or suggest a pulley system for moving a panel P.

Rohlfing discloses a movement structure including a motor 60 supported on a channel 57. (FIG. 2 and page 2, lines 49-54). Channel 57 is connected to one end of a cable 89 that runs over a sheave 90 on vertical guide members 41, wherein the second end of the cable is connected to a counterweight 92. (FIG. 2, and page 2, lines 22-23 and 105-111). As shown in FIG. 2, counterweight 92 and cable 89 of Rohlfing are both positioned outwardly of an interior of vertical guide members 41. Moreover, neither motor 60 nor channel 57 are positioned within an interior of vertical guide members 41 of Rohlfing. (FIG. 2 and page 2, lines 49-54).

In contrast, Applicant's independent claim 1 recites:

"a first vertical support member including a first interior and a first pulley assembly positioned in said first interior;

a second vertical support member including a second interior and a second pulley assembly positioned in said second interior" (emphasis added).

Neither Tolegian nor Rohlfing, nor a combination thereof, teach or suggest a pulley assembly positioned within an "interior" of a vertical support. Tolegian teaches a threaded screw system positioned outside of side bars 16 and Rohlfing teaches a motor 60, a channel 57, a cable 89 and counterweight 92 that are positioned outside of vertical supports 41. Applicant requests the Examiner to withdraw the rejection of independent claim 1, and corresponding dependent claims 2-3, 5 and 11, under 35 U.S.C. 103(a) and to allow the claims.

Applicant's independent claim 18 recites:

"vertical support means for supporting a horizontal support means, said vertical support means including an interior;

vertical translation means for vertically translating a horizontal support means on said vertical support means, said vertical translation means positioned within said interior" (emphasis added).

Neither Tolegian nor Rohlfing teach or suggest a pulley assembly positioned within an "interior" of a

vertical support means. Accordingly, Applicant requests the Examiner to withdraw the rejection of independent claim 18 under 35 U.S.C. 103(a) and to allow the claim.

In the Office Action dated September 28, 2004, the Examiner stated that claims 4, 6-10, 14-17 and 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has not rewritten these claims in independent form at this time but notes that they are indicated as allowable.

Conclusion

All pending claims are believed to be in condition for allowance, and such allowance is respectfully solicited. If the Examiner should have any questions regarding this response, a call to Applicant's counsel, Ms. Ingrid M. McTaggart at (503) 230-7934, is respectfully requested.

Respectfully submitted,

  
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Ingrid M. McTaggart, Reg. No. 37,180  
Attorney for Applicant(s)

Ingrid M. McTaggart  
1816 S. E. 54<sup>th</sup> Avenue  
Portland, Oregon 97215-3334, U.S.A.  
(503) 230-7934  
TH0600

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I hereby certify that this correspondence is being sent via first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28th day of December, 2004.

Ingrid M<sup>c</sup>Jaggart